



## CONSENT TO TRANSFER

State Form 49930 (11-02)

**INSTRUCTIONS:** 1. Please type or print the necessary information.

2. You must fully complete the appropriate option. A consent must be fully completed at the time of the execution. In a contract sale situation covered by Option Two, it is not permissible to have a Consent signed in blank and completed thereafter as to dates or other information necessary to complete the Consent. If this is not fully completed at the time of execution, you may be subject to further legal action, including the revocation of your permit or criminal charges.

3. In the case of individuals or partners, in the event of death or divorce, please forward the appropriate court documents that address the disposition of the alcoholic beverage permit to the Alcohol and Tobacco Commission.

### OPTION ONE: CONSENT TO TRANSFER EXECUTED AS PART OF A PURCHASE AGREEMENT

- Sign this section if you hold a permit that is being transferred to another party.
- Submit the transfer application within 30 days of completing this Consent.

I, \_\_\_\_\_ consent to transfer permit no. \_\_\_\_\_ to \_\_\_\_\_ on this day \_\_\_\_\_.

This consent is being given as part of a purchase agreement in which I will divest myself of any and all interest in the permit upon completion of transfer. I have truthfully dated this Consent.

I swear or affirm under penalties of perjury that the above paragraph is true.

Signature of Seller	Printed name of Seller	Date of Birth (month, day, year)
Address (number and street, city, state, ZIP code)	Telephone number	Date (month, day, year)

### OPTION TWO: CONSENT TO TRANSFER AS PART OF A CONTRACT SALE

- This application must be signed by both the purchaser and the seller of the business that holds the permit and the business if the business is being sold on contract with the seller holding a right of reversion.
- Send the Consent to Transfer to the Commission to be included in the permanent file.
- Retain another original for your own files in the case of a transfer application.

#### A. By Seller

I, \_\_\_\_\_ am selling the business with permit no. \_\_\_\_\_ on contract to \_\_\_\_\_ and the contract is available for inspection by the Alcohol and Tobacco Commission. I do not have any interest in any wholesale or manufacturing permits. I do hereby agree this Consent to Transfer regarding the Contract Sale will only be filed with an application to transfer in good faith in the event that there are grounds sustaining that the terms or conditions of the purchase contract have not been fully complied with pursuant to said contract. I understand that I am to abide by the terms of one of the following two conditions (check one):

☐ That I am only selling the business and permit, and that I have no authority in the operation of the business and its permit, and to assert said authority without prior approval of the Alcohol and Tobacco Commission is a Class B Misdemeanor, punishable with a term of imprisonment not to exceed six months and a fine not to exceed \$5,000; or

☐ That I am a partner or shareholder in this permit and am authorized or have an application to be so authorized, by the Alcohol and Tobacco Commission to have authority in the operation of the business and its permit, and that this consent may be executed in the event the partnership or corporation dissolves.

I swear or affirm under penalties of perjury that the above paragraphs are true. I acknowledge that there is no property right in a permit pursuant to I.C. 7.1-3-1-2. I acknowledge that I have an interest in the permit, either direct or indirect, and that I am qualified to hold the permit.

Signature of seller	Printed name of seller	Date of birth (month, day, year)
Address (number and street, city, state, ZIP code)	Telephone number	Date (month, day, year)

**B. By Buyer**

This Consent is given as a condition of a contract sale in which I am purchasing a business that has a license to dispense alcoholic Beverages.

Accordingly, I \_\_\_\_\_, consent to a subsequent transfer of permit no. \_\_\_\_\_ to \_\_\_\_\_ at some future date unknown if there are grounds substantiating that the terms or conditions of the purchase contract have not been fully complied with pursuant to said contract.

(Please initial)

- \_\_\_\_\_ 1. I understand that the written contract is available to the Commission for inspection.
- \_\_\_\_\_ 2. I do hereby agree that I have an obligation to satisfy all tax obligations of the State of Indiana and to comply with all laws, statutes and regulations of all governmental agencies regarding the operation of the business dispensing alcoholic beverages including, but not limited to, the Indiana Alcohol and Tobacco Commission. I also understand that the execution of this Consent to Transfer does not relieve me of of any such liability that I incur while serving as a holder of this permit if I am subsequently removed as a permittee. I fully understand that my failure to comply with the tax obligations and the law, statutes, rule and regulations may subject me to penalties, fines, and possible revocation of the alcoholic beverage permit.
- \_\_\_\_\_ 3. I understand that the completion of the transfer is subject to the discretion and approval of the Commission and that the Commission is not a party to the contract.
- \_\_\_\_\_ 4. I understand that the Commission does not warrant any notification to me in the event a transfer is files, and that notification is dictated by terms of the contract if said terms exist.
- \_\_\_\_\_ 5. I understand that I am qualified to hold an alcoholic beverage permit under the laws of Indiana, including being of good moral character and reputation; not having a conviction above or equal to C felony within the last 10 years; not having a conviction for a federal crime carrying a term of at least one year; and that I am not a law enforcement officer.
- \_\_\_\_\_ 6. I have not had a permit revoked or application for permit denied in the last year.
- \_\_\_\_\_ 7. I have the legal and lawful right to occupy the permit premises by contract, lease or otherwise, that I have been a resident of this state for five years or am purchasing a premise that does at least \$100,000 in (food) sales a year.
- \_\_\_\_\_ 8. I have filed a manager's questionnaire with the Commission.

I swear or affirm under penalties of perjury that the above paragraphs are true. I acknowledge that there is no property right in a permit pursuant to I.C. 7.1-3-1-2.

Signature of purchaser	Printed name of purchaser	Date of birth (month, day, Year)
Address (number and street, city, state, ZIP code )	Telephone number	Date (month, day, year)

**MAIL TO:**

INDIANA ALCOHOL & TOBACCO COMMISSION  
302 West Washington Street, Room E114  
Indianapolis, IN 46204  
Phone (317) 232-2430  
Attn: Consent to Transfer  
[www.IN.gov/atc](http://www.IN.gov/atc)